

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Bhawanee Persaud,

Civil 11-599 MJD/FLN

Plaintiff,

v.

O R D E R

Michael J. Astrue, Commissioner  
of Social Security,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated June 1, 2012, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (#18) **is GRANTED IN PART FOR REMAND AND DENIED IN PART FOR REVERSAL;**
2. The case is remanded pursuant to Sentence 4 of 42 U.S.C. § 405(g), for further proceedings consistent with the Report and Recommendation of Magistrate Judge Noel;
3. Defendant's Motion for Summary Judgment (#26) **is DENIED;**

4. The case is **DISMISSED WITH PREJUDICE AND JUDGMENT BE ENTERED.**

DATED: June 22, 2012.  
at Minneapolis, Minnesota

s/Michael J. Davis  
CHIEF JUDGE MICHAEL J. DAVIS  
United States District Court